

## Message Text

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INFO OCT-01 EUR-12 ISO-00 SAM-01 PM-04 DODE-00 NSC-05

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C O N F I D E N T I A L STATE 009692

E.O. 11652:GDS

TAGS: PFOR, MARR, SP

SUBJECT: SPANISH BASE NEGOTIATIONS: REVISED FACILITIES  
SUPPLEMENTAL

EXPLANATORY COMMENTS ON U.S. COUNTER DRAFT OF SUPPLEMENTARY  
AGREEMENT ON FACILITIES (NUMBER 6) ARE SET OUT BELOW.  
COUNTER DRAFT TEXT BEING SENT SEPTTEL.

1. WE HAVE ACCEPTED SPANISH APPROACH TO FIRST SENTENCE  
ARTICLE 1, BUT HAVE CHANGED "WILL GRANT" TO "GRANTS";  
PRESENT AGREEMENT MUST CONSTITUTE AUTHORIZATION RATHER THAN  
PROMISE OF FUTURE AUTHORIZING ACT.

2. WE HAVE REPLACED REFERENCE TO "MUTUAL DEFENSE" IN FIRST  
SENTENCE WITH REFERENCE TO ARTICLE V OF FRAMEWORK AGREE-  
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MENT; "MUTUAL DEFENSE" IS NOT PART OF FRAMEWORK TERMINOLOGY

AND IS SOMEWHAT NARROWER THAN FRAMEWORK AGREEMENT'S FOCUS ON SECURITY OF THE WESTERN WORLD AND MAINTENANCE OF WORLD PEACE.

3. U.S. COUNTER PROPOSAL RETAINS APPROACH OF IDENTIFYING THE RIGHTS GRANTED BY REFERENCE TO THE LAST AGREEMENT AND SPECIFICATION OF THE EXCEPTIONS. SPANISH APPROACH IS LESS MANAGEABLE, AND RUNS RISKS OF INADVERTANT CHANGES NOT

REQUIRED BY FOREIGN MINISTERS' AGREEMENT IN OCTOBER. FURTHER, INVENTORY NOT SUITABLE DOCUMENT FOR PUBLICATION WITH THE AGREEMENT, BUT INEVITABLY, UNDER SPANISH APPROACH, IT WOULD BE, SINCE AGREEMENT IS TO BE SUBMITTED TO CONGRESS FOR APPROVAL.

4. PARA 2 OF OUR ARTICLE 1 ACCEPTS SPANISH DESIRE FOR AN INVENTORY. TOGETHER WITH PROVISION FOR SUBSEQUENT MODIFICATIONS IN RIGHTS GRANTED, CONTAINED IN LAST PART OF PARAGRAPH ONE, IT WOULD BE POSSIBLE TO USE INVENTORY TO ACCOMPLISH MUTUALLY AGREED CHANGES IN BUILDINGS, INSTALLATIONS AND OTHER PERMANENT ITEMS AUTHORIZED FOR U.S. FORCES USE, AS SPANISH SIDE APPEARS TO DESIRE.

5. CONSISTENT WITH OUR APPROACH ABOVE, PARAGRAPH 3 IDENTIFIES THE MODIFICATIONS BEING MADE IN THE FACILITIES PREVIOUSLY ENJOYED. WE BELIEVE IT USEFUL TO INDICATE IN MAIN TEXT ITSELF, RATHER THAN IN AN ANNEX, THAT NOT ONLY MAIN FACILITIES RETAINED, BUT ALSO THE IMPORTANT REDUCTIONS BEING MADE.

6. WE HAVE ACCEPTED SPANISH PROPOSAL TO REDUCE MORON TO NAVAL COMMUNICATIONS STATION, BUT ARE OTHERWISE UNABLE TO DEVIATE FROM FACILITIES AGREEMENT REACHED BETWEEN FOREIGN MINISTERS IN OCTOBER UNDER WHICH SSBN'S REMAIN AT ROTA AND A TANKER DETACHMENT REMAINS IN SPAIN. WE HAVE NOW DETERMINED, HOWEVER, THAT ZARAGOZA IS A MORE PRACTICABLE LOCATION THAN ROTA FOR THE TANKERS AND INDICATE THAT AS OUR PREFERENCE.

7. WE HAVE ACCEPTED SPANISH WISHES FOR EXPRESS REFERENCE  
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IN TEXT TO BAN ON LAND BASED NUCLEAR DEVICES.

8. THIRD SENTENCE OF SPANISH ARTICLE 1 RELATING TO COMMUNICATIONS AND NAVIGATIONAL SUPPORT, AS WELL AS QUALIFICATION IN SPANISH FOURTH SENTENCE, ON USE OF THE CADIZ-ZARAGOZA PIPELINE ARE SUBSUMED IN OUR ARTICLE 2, WHICH CONTEMPLATES FURTHER AGREEMENTS, SUCH AS THE SOFA AGREEMENT, REGULATING THE EXERCISE OF THE RIGHTS GRANTED

UNDER ARTICLE 1.

9. WE HAVE REINSERTED OUR FORMER ARTICLE 3 AS WELL.  
THE OTHER COMMITTEES OF THE UNITED STATES-SPANISH COUNCIL  
HAVE BEEN GIVEN CORRESPONDING TREATMENT IN THE SUPPLE-  
MENTALS, AND THIS IS THE ONLY APPROPRIATE SUPPLEMENTAL  
FOR TREATMENT OF THE COMMITTEE WHICH WILL DEAL WITH THE  
PROBLEMS ARISING OUT OF OUR RIGHTS IN SPAIN. WE HAVE,  
HOWEVER, REFLECTED HERE THE SPANISH DESIRE THAT THE WORD  
"ADMINISTRATIVE" BE REFLECTED IN THE NAME OF THE

COMMITTEE. WE ALSO CONSIDER IT NECESSARY TO DEAL WITH  
THE JACCC. KISSINGER

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